## IN THE UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

In re:	) Chapter 11
	) Case No. 20-34215 (MI)
ARENA ENERGY, LP, et al., <sup>1</sup>	) (Jointly Administered)
Debtors.	
ARENA ENERGY, LP,	- -
	)
Plaintiff,	)
v.	) Adv. Proc. No. 20
W&T OFFSHORE, INC. and 31 Group, LLC,	)
Defendants.	)

## Temporary Restraining Order

The Court has considered the application of the above-captioned plaintiff Arena Energy, L.P. for entry of a temporary restraining order and preliminary injunction, pursuant to sections 105 and 510(c) of title 11 of the United States Code, rules 7001(1), 7001(7), 7001(8), 7007, and 7065 of the Federal Rules of Bankruptcy Procedure, and has reviewed (1) Plaintiff's Verified Original Complaint and Application for Temporary Restraining Order, Preliminary Injunction, and Permanent Injunction, (2) the Declaration of J. Michael Vallejo in Support of Arena Energy, LP's Verified Original Complaint and Application for Temporary Restraining Order, Preliminary Injunction, and Permanent Injunction, (3) the Declaration of Don Metz in Support of Arena Energy, LP's Verified Original Complaint and Application for Temporary Restraining Order,

<sup>&</sup>lt;sup>1</sup> The debtors in these chapter 11 cases, along with the last four digits of each debtor's federal tax identification number, are: Arena Energy, LP (1436); Arena Energy 2020 GP, LLC (N/A); Arena Energy GP, LLC (7454); Arena Exploration, LLC (1947); Sagamore Hill Holdings, LP (8266); and Valiant Energy, L.L.C. (7184). The location of the debtors' service address is: 2103 Research Forest Drive, Suite 400, The Woodlands, Texas 77380.

Preliminary Injunction, and Permanent Injunction, (4) the Declaration of Curtis Flood in Support of Arena Energy, LP's Verified Original Complaint and Application for Temporary Restraining Order, Preliminary Injunction, and Permanent Injunction, and (5) the Declaration of Sylvanus M. Polky in Support of Arena Energy, LP's Verified Original Complaint and Application for Temporary Restraining Order, Preliminary Injunction, and Permanent Injunction and the exhibits attached to these documents. The Court has considered its inherent authority, and the Court has heard statements in support of the application and received evidence at a hearing before the Court. The Court FINDS:

The Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334; this proceeding is a core proceeding pursuant to 28 U.S.C.§ 157(b); and venue of this proceeding and the Application in this district is proper pursuant to 28 U.S.C. §§ 1391(b) and 1409.

Plaintiff Arena is entitled to issuance of a temporary restraining order pursuant to Bankruptcy Rule 7065 (incorporating Rule 65, FRCP).

Arena established (1) a substantial likelihood of success on the merits; (2) that absent preliminary injunctive relief, they are likely to suffer irreparable harm; (3) that the balance of equities is in their favor; and (4) preliminary injunctive relief is in the public interest. All findings made on the record are incorporated pursuant to Bankruptcy Rule 7052.

## The Court ORDERS:

1. W&T and 31 Group are enjoined from using in any way Arena's confidential information including the information they obtained or accessed from Arena's virtual data room as well as any notes, copies, summaries, analyses, studies, forecasts, or other materials, information, or conclusions derived from Arena's information.

- 2. W&T and 31 Group are required to return and send to Arena all confidential information that 31 Group and W&T obtained directly or indirectly from the virtual data room and destroy any notes, copies, summaries, analyses, studies, forecasts, or other materials, information, or conclusions derived from Arena's information.
- 3. W&T and 31 Group must cease and desist from any and all use of Arena's confidential information.
- 4. W&T and 31 Group certify in writing to Arena that they have complied with (1-3) above.
- 5. W&T and 31 Group must identify any person or entity to whom they have disclosed the information contained in the data room or any notes, copies, summaries, analyses, studies, forecasts, or other materials, information, or conclusions derived from Arena's information.

	The Court will conduct a hearing on Plaintiff's Application for a Preliminary Injunction at
<b>:</b> .	, m. on September, 2020.
	This temporary restraining order shall remain in full force and effect until it expires at
<b>:</b> .	m. on September, 2020, unless either terminated earlier by court order or
further	extended as provided by law or agreement of the parties.
	Pursuant to Bankruptcy Rule 7065, no bond is required.

Houston, TX Dated:	
	HONORABLE MARVIN ISGUR
	UNITED STATES BANKRUPTCY JUDGE